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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,995	10/07/1999	ROBERT CHARLES MONSEN	CISCO-1261	4136

7590

09/27/2002

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EXAMINER

WON, YOUNG N

ART UNIT	PAPER NUMBER
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2155

10

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/414,995

Applicant(s)

MONSEN ET AL.

Examiner

Young N Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-13 have been re-examined with the amendments added.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1, 5, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Orita (U.S Pat. No.5163147).

As per claim 1, 5, and 9, Orita teaches of an apparatus (see col.2 line 53: computer system), a method (see col.7 line16), and a program storage device readable

Art Unit: 2155

by a machine, tangibly embodying a program of instructions executable by the machine (see col.1 lines 37-40), for controlling operations by a client on a stored file (see col.1 lines 45-46), said apparatus comprising: a first memory (see col.2 line 68: read/write memory, and Fig.1 no.14) associated with the file, said first memory for storing a fixed file security status, said fixed file security status being of a first type (see col.3 lines 1-5); a second memory associated with the file, said second memory (see col.2 line 68 and Fig.1 no.14) for storing an active file security status, said active file security status initially copied from said fixed file security status and initially being of said first type and changeable to a second type (see col.3 lines 1-5); a request handler (see col.2 lines 11-12: access verifying unit) receiving a request from the client to perform operations on the file, said request handler disallowing the client from performing operations on the file if said active file security status is of said first type and allowing the client to perform operations on the file if said active file security status is of said second type (see col.4 lines 60 to col.5 line 1 and Fig.3 no.S13); and an independent verification routine (see col.1 line 68: user recognizing unit) having access to a security database listing clients and corresponding privileges, and capable of receiving an authorization credential from the client (see col.1 line 68 and col.2 lines 1-4), said independent verification routine causing said active file security status to change to said second type if said authorization credential indicates that the client has the privilege to access the file (see col.3 lines 17-32 and Fig.2 no.S3).

3. Claims 10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Scott et al. (U.S. Pat. No.5987123).

As per claims 10 and 13, Scott teaches of a method (see Abstract and col.1 lines 35-38) and a program storage device readable by a machine, tangibly embodying a program of instructions executable by a machine (see col.3 lines 14-19), for creating a secure file on a file system (see col.2 lines 12-13), the method comprising: receiving from a user an open for write call (see col.4 lines 2-5 and col.5 lines 46-47) for a file that does not exist at the time the call is received; recognizing that the file does not exist at the time the call is received; creating a file entry for said file; receiving from said user an authorization credential (see col.5 lines 51-56); authenticating the privileges of the user (see col.4 lines 5-8 and 39-54); recognizing the combination of a user sending an open for write call for a file that does not exist at the time the call is received and an authorization credential that is authenticated (see col.4 lines 5-8 and 39-54); and creating a secure file (see col.5 lines 57-59) (see Fig.5) having a fixed file security status being of a first type (see col.6, lines 23-32).

As per claims 11 and 12, Scott further teaches setting a memory location (see col.4 line 14: stored) associated with the file to a value indicating that the file is a secure file (see col.4 lines 13-15 and col.3 lines 46-49) and closing said file entry (note: it is inherent that once a file is no longer needed by a program or a user, the file is closed).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orita (U.S. Pat. No. 5,163,147), as applied to claims 1 and 5 above, and further in view of Subramaniam et al. (U.S. Pat. No. 5,519,507). Orita teaches all the limitations of claims 2 and 6 including a third memory associated (see col. 8 lines 1-3 and col. 1 lines 40-43) with the file, but he does not teach that the said third memory is used for storing a delete-on-close status, said delete-on-close status initially set to a first value and changeable to a second value, wherein said first value indicates that the file will not be deleted upon closing and the second value indicates that the file will be deleted upon closing. Subramaniam teaches of a delete-on-close status, said delete-on-close status initially set to a first value and changeable to a second value, wherein said first value indicates that the file will not be deleted upon closing and the second type indicates that the file will be deleted upon closing (see col. 6 lines 31-33 and 35-37). It would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to employ the teachings of Subramaniam within the system of Orita, by allowing the client who has access to a particular file to be able to delete or retain the file from memory upon closing, because such functions enable the client to have complete control of the file in which they have access to.

5. Claims 3, 4, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orita (U.S. Pat. No.5163147) and Subramaniam et al. (U.S. Pat. No.5519507), as applied to claims 1, 2, 5, and 6 above, and further in view of Testin et al. (U.S. Pat. No.4776038). Orita and Subramaniam teach all the limitations of claims 3, 4, 7 and 8, except that the first memory is a non-volatile random access memory and said second memory and third memory are in a file entry, and that the first memory, said second memory, and said third memory comprise single bits. Testin teaches of a non-volatile random access memory and said second memory and third memory are in a file entry (see col.3 lines 39-40) and that the first memory, said second memory, and said third memory comprise single bits (see col.4 lines 58-62). It would have been obvious to a person of ordinary skill in the art, at the time the invention was made, to employ the teachings of Testin within the system of Orita and Subramaniam, because non-volatile random access memory allows the contents to be retained even after power is removed, thus allowing an assign value in the first memory to always retain that value and because assigning a single bit to a memory allows for two states ("0" state or "1" state) to serve two functions, respectively. This enables the content from switching from a desired state such as a "1" which could mean "access not granted" to an unknown or an error state per each power down and power back up sequence.

Response to Arguments

6. The objection to the specification has been withdrawn.

7. Rejection 35 USC 112 regarding claim 2 has been withdrawn.

8. In response to the arguments regarding claims 1, 5, and 9. First memory, second memory, third memory, ...n memory, can refer to any memory device or partition because it is not defined. It is well known that partitioned memory spaces are referred to as different memory within the same memory device and Orita clearly show this in Fig.1, #14a-14d. Also, Orita teaches that the memory is of the host computer (see Fig.1, #11) and that the memory is associated with a file (see col.3, lines 53-68 to col.4, lines 1-14).

Additionally, a request handler is label defined by the functions mentioned in the claim which can be a program, a method or a device for "receiving a request from the client to perform operations on the file, said request handler disallowing the client from performing operations on the file if said active file security status is of said first type and allowing operations on the file is said active file security status is of the second type". Orita clearly teaches of a device for allowing or disallowing operations on a file (see col.2, lines 11-14: "access verifying unit"). There is no mention of the limitation that a request handler is programmed in a router or a server within the claims. In order for such limitations to be considered, it must be stated in the claims, therefore, claims 1,5, and 9 are still rejected as mentioned above.

9. In response to the arguments regarding claims 10-13. Scott teaches of creating for said file (see col.2, lines 19-20). He also teaches, initially, an entity wishing to perform a file access operation, and then receiving a data of the file to be created (see col.2, lines 14-17). Therefore, it is inherent that operation of "recognizing that the file does not exist at the time the call is received" occurs.

It is obvious that when a file is created, it is "NEW". As it is obvious for claim 10 and 13 to refer to a file as being "NEW" although, the claim does not recite this limitation, same reasoning is applied to the reference of Scott. Therefore, remaining dependent claims stand rejected.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young N Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 8AM-6PM.

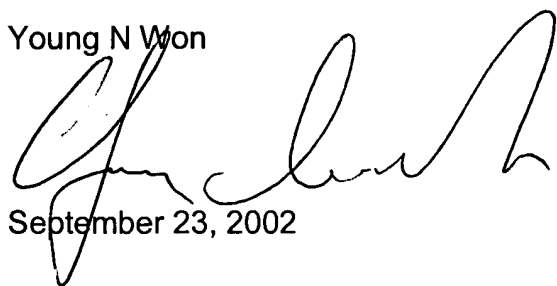
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Application/Control Number: 09/414,995
Art Unit: 2155

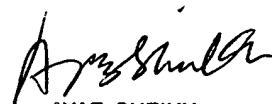
Page 9

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Young N Won



September 23, 2002



AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
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